

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

DAVID K. MITSOFF

Plaintiff

v.

Commissioner of Social Security

Defendant

Civil Action No. 3:12CV46

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* _____ recover from the
 defendant *(name)* _____ the amount of
 _____ dollars (\$ _____), which includes prejudgment
 interest at the rate of _____ %, plus postjudgment interest at the rate of _____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* _____
 _____ recover costs from the plaintiff *(name)* _____

☒ other: that Judgment is entered in favor of Plaintiff David K. Mitsoff and against Defendant Commissioner. The
 Commissioner's decision of non-disability is REVERSED as unsupported by substantial evidence and remanding the captioned
 cause to the Defendant Commissioner under the Fourth Sentence of 42 U.S.C. Section 405(g) for further Administrative Proceedings .

This action was *(check one)*:

☐ tried by a jury with Judge _____ presiding, and the jury has
 rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision
 was reached.

☒ decided by Judge Walter H. Rice _____ on a motion for

Order for Report and Recommendations

Date: 03/15/2013

CLERK OF COURT

s/ K. Ernst

Signature of Clerk or Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
Western DIVISION

_____ DAVID K. MITSOFF <i>Plaintiff</i>	:	
vs	:	Case Number: 3:12CV46
Commissioner of Social Security _____ <i>Defendant</i>	:	

NOTICE OF DISPOSAL PER SOUTHERN DISTRICT OF OHIO LOCAL RULES
79.2(a)&(b)

The above captioned matter has been terminated on 03/15/2013.

If applicable to this case, the disposal date will be six (6) months from the above termination date.

Rule 79.2(a) Withdrawal by Counsel:

All depositions, exhibits or other materials filed in an action or offered in evidence shall not be considered part of the pleadings in the action, and unless otherwise ordered by the Court, shall be withdrawn by counsel without further Order within six (6) months after final termination of the action.

Rule 79.2 (b) Disposal by the Clerk

All depositions, exhibits or other materials not withdrawn by counsel shall be disposed of by the Clerk as waste at the expiration of the withdrawal period.

JOHN P. HEHMAN, CLERK

By: s/ K. Ernst
Deputy Clerk